

May 19, 2017

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
MAY 19, 2017

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 N. LASALLE ST., SUITE S-901, CHICAGO, IL AND 607 E. ADAMS ST., SUITE 801, SPRINGFIELD, IL BY INTERACTIVE VIDEO CONFERENCE

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD APRIL 20, 2017

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD APRIL 20, 2017?

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	142.....	20
Agriculture	300.....	19
Arts Council	9.....	2
Capitol Development Board	42.....	0
Central Management Services	1,298.....	94
Children and Family Services.....	2,551.....	54
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	292.....	71
Commerce Commission	56.....	0
Corrections	11,958.....	109
Criminal Justice Authority.....	54.....	7
Deaf and Hard of Hearing Comm.....	5.....	1
Developmental Disabilities Council	7.....	1
Emergency Management Agency.....	64.....	8
Employment Security	1,050.....	31
Environmental Protection Agency.....	641.....	18
Financial & Professional Regulation	399.....	49
Gaming Board	165.....	6
Guardianship and Advocacy	95.....	8
Healthcare and Family Services	1,854.....	27
Historic Preservation Agency.....	125.....	17
Human Rights Commission.....	14.....	2
Human Rights Department	125.....	10
Human Services.....	12,498.....	82
Illinois Torture Inquiry Relief Commission	3.....	1
Independent Tax Tribunal	1.....	0
Innovation and Technology	42.....	20
Insurance	222.....	17
Investment Board	3.....	2
Juvenile Justice.....	956.....	28
Labor	77.....	12
Labor Relations Board Educational.....	7.....	3
Labor Relations Board State.....	13.....	2
Law Enforcement Training & Standards Bd.	21.....	3
Lottery	142.....	8
Military Affairs.....	118.....	3
Natural Resources.....	1,036.....	32
Pollution Control Board	18.....	2
Prisoner Review Board.....	21.....	1
Property Tax Appeal Board.....	30.....	1
Public Health	1,057.....	42
Racing Board.....	2.....	1
Revenue.....	1,415.....	48
State Fire Marshal	118.....	12
State Police.....	963.....	10
State Police Merit Board	6.....	2
State Retirement Systems	101.....	3
Transportation	2,106.....	0
Veterans' Affairs	1,247.....	11
Workers' Compensation Commission.....	118.....	12
TOTALS.....	43,591.....	912

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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C. No 4d(3) exemption requests submitted.

D. Proposed Rescissions in accordance with Section 1.142(b) of the Rules of the Civil Service Commission

On April 17, 2017 the Exemption Monitor, Jane Ryan, sent notice to the Director of Central Management Services of the proposed rescissions of 42 current 4d(3) exempt positions which may no longer meet the requirements for exemption. According to information provided by Central Management Services, these positions were granted exempt status but have been vacant for an extended period of time or the program supporting the exemption has changed or other reasons. Each affected agency director was also provided with a courtesy notice of this proposed action. After resolving a number of issues with several of the proposed rescissions, the following is a list of the positions that will now be put forth before the Commission for formal consideration of rescission of their exemption. Section 1.142(b) also provides that rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status positions which will ensure responsive and accountable administrative control of the programs of the agency.

Item	Position Number	Agency	Functional Title
D1	40070-37-60-010-07-01	CMS	Regional Client Manager 7
D2	40070-37-62-300-00-01	CMS	Property Manager, Transactions – Central and South
D3	40070-37-62-000-00-01	CMS	Property Management, Transactions & Property Administration
D4	40070-37-62-200-00-01	CMS	Property Mgmt., Transactions, Chicago & North Regions
D5	40070-37-62-400-00-01	CMS	Property Mgmt., Transactions & Property Administration, Real Property
D6	40070-37-00-020-00-01	CMS	Policy Advisor (Agency Services/BCCS/BOPM)
D7	40070-37-41-100-00-01	CMS	BOSS, Chief Information Officer
D8	37015-44-00-000-11-03	DES	Human Resources
D9	40070-50-69-000-20-01	Gaming	Policy Advisor, Investigations & Legislation
D10	37015-12-00-000-40-01	DNR	Manager, Chicago Operations
D11	40070-20-06-202-00-21	DPH	Regional Health Officer, Peoria

WILL THE COMMISSION RESCIND THE EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- D1. Region 7 Property Manager (CMS)**
- D2. Property Manager-Transactions-Central and South Regions (CMS)**
- D3. Property Management, Transactions & Property Administration (CMS)**
- D4. Property Management, Transactions-Chicago and North Regions (CMS)**
- D5. Property Management, Transactions and Property Administration
Real Property (CMS)**
- D6. Policy Advisor-Agency Services BCCS/BOPM (CMS)**
- D7. BOSS, Chief Information Officer (CMS)**
- D8. Human Resources (DES)**
- D9. Policy Advisor, Investigations & Legislation (Gaming)**
- D10. Manager, Chicago Operations (DNR)**
- D11. Regional Health Officer, Peoria (DPH)**

VI. CLASS SPECIFICATIONS

A. Governing Rule – Section 1.45 Classification Plan

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work.

B. None submitted

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED IN THIS AGENDA TO ALLOW ADEQUATE STUDY?

VII. PERSONNEL RULES

A. Civil Service Commission Governing Rule – Section 1.310 Personnel Rules

The Commission has power to disapprove new rules or amendments to existing rules submitted by the Director of Central Management Services. Such proposed new rules or amendments of existing rules submitted to the Commission shall be accompanied by a report of proceedings attending the prior public hearing required by law with respect to them. If the Commission does not disapprove new rules or any amendment to existing rules within 30 days following the receipt from the Director of Central Management Services, the new rules or amendments have the force and effect of law after filing by the Director with the Secretary of State.

B. None submitted

WILL THE COMMISSION DISAPPROVE ANY AMENDMENTS TO PERSONNEL RULES RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED IN THIS AGENDA TO ALLOW ADEQUATE STUDY?

VIII. MOTION TO CLOSE A PORTION OF THE MEETING

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

IX. RECONVENE THE REGULAR OPEN MEETING

X. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	3/31/17	4/30/17	4/30/16
Agriculture	0	1	1
Central Management Services	0	3	6
Children and Family Services	0	1	1
Commerce and Economic Opportunity	0	1	0
Emergency Management Agency	0	0	1
Employment Security	0	0	3
Financial and Professional Regulation	0	1	1
Guardianship and Advocacy	0	1	0
Healthcare and Family Services	0	6	6
Historic Preservation Agency	0	0	1
Human Services	1	14	17
Insurance	0	0	1
Juvenile Justice	0	1	0
Natural Resources	2	9	18
Property Tax Appeal Board	0	1	0
Revenue	0	1	0
State Fire Marshal	0	2	0
State Police	0	1	1
State Retirement Systems	0	0	6
Transportation	18	0	1
Veterans' Affairs	0	2	0
Workers' Compensation Commission	0	0	1
Totals	21	45	65

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

DA-17-17

Employee	Diana Rapaport	Appeal Date	10/07/16
Agency	Children & Family Services	Decision Date	05/05/17
Appeal Type	Discharge	Proposal for Decision	60-day suspension plus duration of suspension pending discharge.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-28-17

Employee	Michael K. Whitmore	Appeal Date	12/21/16
Agency	Human Services	Decision Date	05/04/17
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XII. STAFF REPORT

XIII. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held at 11:00 a.m. on Friday, June 16, 2017.

XIV. MOTION TO ADJOURN